

The Sydney Morning Herald.

THURSDAY, OCTOBER 10, 1861.

NO. 7282.—VOL. XLIV.

PRICE THREEPENCE.

BIRTHS.
On the 1st instant, at Geraldine, near Burrows, Mrs. Eason, of a son.
On the 1st instant, at Paddington, the wife of Mr. William Jones, of a son.
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MARRIAGE.
On the 8th instant, at Geraldine, near Burrows, the Rev. Mr. Eason, of a son.
On the 1st instant, at Paddington, the wife of Mr. William Jones, of a son.
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SHIP ADVERTISEMENTS.
OVERLAND ROUTE TO ENGLAND.
THE PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY'S steamship
NORTHAM
H. H. POTTS, commander, will be despatched for
SUEZ, and thence to England, on SATURDAY, the 12th instant, at 10 a.m.

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SHIP ADVERTISEMENTS.
FOR OTAGO. NEW ZEALAND GOLD-FIELDS.
The fine clipper barque GLENISHER, built by the late Mr. J. C. Lambert, is now on her way to Otago, and will be despatched in a few days, and offers one of the best opportunities for passengers proceeding to the new gold-fields.

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PERSONS ADVERTISED FOR.
If this should meet the eye of JAMES STEPHEN, who is now in the service of the late Mr. J. C. Lambert, he is requested to communicate with his parents.

VICTORIA THEATRE.—By desire Madame Marie Duret.
LUCRETIA BORGIA
in the romantic drama of that name (being the last night of the engagement).

THE DOUBLE-BEDDED ROOM.
In preparation for the LOVE CHASE.
Mrs. and Mr. W. HILL will shortly appear.
Notice.—Half-price to the dress circle at half-past nine o'clock.

ROYAL LYCEUM THEATRE.
THIS EVENING, October 10th, the performance will commence with the romantic drama, entitled
"THE LOVE CHASE."
Mrs. and Mr. W. HILL will shortly appear.
Notice.—Half-price to the dress circle at half-past nine o'clock.

FRIDAY EVENING, Benefit of Mr. CHARLES YOUNG.
THEODOSIA ERNEST, Tuesday next, October 9th, 1861.

SYDNEY VOCAL HARMONIC SOCIETY.—The first concert of the subscription will take place on THURSDAY EVENING, October 10th, at the Free-masons' Hall, Chancery-lane, at 8 o'clock.
The programme (by the particular desire of many of the members) is, "THE LAST JUDGMENT." The solo passages will be performed by the members of the society, assisted by Messrs. Flora Harris and Mrs. Corder, and the choruses by the members of the society. Mr. Stanley will preside at the organ, and Mr. W. J. Courte will be the accompanist.

SYDNEY VOCAL HARMONIC SOCIETY.—An adjourned meeting of the Committee of the Society will be held at the Schoolroom in Castlereagh-street, at 8 o'clock, THIS (THURSDAY) EVENING, when members are particularly requested to attend. Urgent business.

JOSEPH DYER, honorary secretary.
October 9th, 1861.

DANCING taught by Mr. W. CLARK, Polytchnic, Pitt-street. Class evenings, Mondays and Thursdays, at 8 o'clock. Class evenings, Mondays and Thursdays, at 8 o'clock.

MR. J. CLARK'S QUADRILLE ASSEMBLY, at his rooms, Elizabeth-street North, FRIDAY next, at 8 o'clock.

CONGREGATIONAL HOME MISSIONARY SOCIETY FOR NEW SOUTH WALES.—The anniversary services in connection with this Society will be held on SUNDAY, MONDAY, and TUESDAY, October 13th, 14th, and 15th.

THE SERMONS will be preached on SUNDAY, the 13th instant, as follows:—
CHURCH. MORNING PRAYER. EVENING PRAYER.
Pitt-street. Mr. W. Clifton, Rev. T. Johnson.

ST. JOHN'S BISHOPSTHORPE.—A LECTURE, "The Missionary of the Future," with illustrations, will be delivered in the School-house, Glebe Road, THIS EVENING, 10th October, at half-past 7 o'clock.

ST. MICHAEL'S SCHOOL.—LECTURE, "THE EVENING," half-past 7 o'clock, by Rev. HULTON LING. Subject: "Arctic Adventure and Discovery," illustrated by a lantern slide. Admission 6d., for the school free.

UNION DEBATING SOCIETY, FRIDAY, October 10th.—"The Real Estate Agent's Life in the hands of an Executor." 5d. 11d.

UNION DEBATING SOCIETY, October 9th.—"On the Idyls of the King."

NOTICE.—Whereas my wife, SUSAN COLLETT, has left her home without any just cause or provocation, now about two years since, and during that time I have had to correspond with her, I hereby give public notice that it is my intention to get married at a certain time. WILLIAM COLLETT, Rocky River, October 10th, 1861.

AUSTRALIAN MUTUAL PROVIDENT SOCIETY.—Notice is hereby given, that a Special Meeting of the above Society will be held in the Society's Office, 54, Market-street, on MONDAY, the 10th instant, at 2 o'clock p.m., when the following business will be transacted:—To receive the report and account of the directors for the past year, and to elect directors in the room of Mr. S. D. Gordon, Esq., M.L.C., and Thomas Holt, Esq., M.L.C., who retire by rotation, and to elect an auditor in the room of Mr. Robert Thompson, who retires by rotation, and is eligible for re-election. All candidates are required to give written notice of their intention to apply for the office of a director seven days before the day of meeting.

By order of the Board.
JOSEPH DYER, Secretary.

SYDNEY INSURANCE COMPANY.—Notice is hereby given, that Mr. H. S. D. GORDON, Esq., M.L.C., and THOMAS HOLT, Esq., M.L.C., have given the necessary notices of their being Candidates for re-election to the office of Directors to the above Company.

By order of the Board.
JOSEPH DYER, Secretary.

BANK OF NEW SOUTH WALES.—NOTICE is hereby given, that the half-yearly GENERAL MEETING of the proprietors of this Bank will be held at the Banking-house, George-street, on WEDNESDAY, the 30th day of October, instant, at noon, to consider the report of the directors, and to elect directors in the room of Mr. S. D. Gordon, Esq., M.L.C., and Thomas Holt, Esq., M.L.C., who retire by rotation, and to elect an auditor in the room of Mr. Robert Thompson, who retires by rotation, and is eligible for re-election. All candidates are required to give written notice of their intention to apply for the office of a director seven days before the day of meeting.

By order of the Board.
JOSEPH DYER, Secretary.

MANUFACTURERS' MEETING.—The Adjourned Meeting of the Manufacturers' General Committee will be held, at the Free-masons' Hall, Chancery-lane, on THURSDAY, the 10th instant, at 8 o'clock.

NEW SOUTH WALES MARINE ASSURANCE COMPANY.—Notice is hereby given, that the half-yearly GENERAL MEETING of the proprietors of this Company will be held at the Banking-house, George-street, on WEDNESDAY, the 30th day of October, instant, at noon, to consider the report of the directors, and to elect directors in the room of Mr. S. D. Gordon, Esq., M.L.C., and Thomas Holt, Esq., M.L.C., who retire by rotation, and to elect an auditor in the room of Mr. Robert Thompson, who retires by rotation, and is eligible for re-election. All candidates are required to give written notice of their intention to apply for the office of a director seven days before the day of meeting.

By order of the Board.
JOSEPH DYER, Secretary.

MANUFACTURERS' MEETING.—The Adjourned Meeting of the Manufacturers' General Committee will be held, at the Free-masons' Hall, Chancery-lane, on THURSDAY, the 10th instant, at 8 o'clock.

D. BERNCASTLE, Surgeon and Oculist, at home from 9 to 11, 2 to 3, 6 to 8, 229, Macquarie-street.

DENTISTRY.—Messrs. J. EMANUEL and F. LAST, Surgical and Mechanical Dentists. (Established 1842), Surgery, No. 301, George-street North, opposite Mr. Jones, Jeweller.

RANSBY, Grocer and House Agent, Bulman, N.B.—Houses and Cottages to Let and for Sale.

CURTIS, 54, George-street, Oil, Colours, and Paperhanging Store. Estimates given for general repairs.

G. HANKS, Wholesale and Family Grocer, London Street Warehouse, 520, George-street.

T. BEGG, Tobacconist, &c., 209, George-street, next to the Carlton Printing Office.

JOHN HANKS, Broker and Mercantile Surveyor, 324, George-street, down the gateway of Messrs. Scott, Henderson and Co.

LESSONS in WRITING given at 48, Hunter-street.

LONDON OYSTER ROOMS, George-street, opposite the London Chartered Bank. Fresh oysters, crabs and fried fish.

M. A. EMANUEL, Teacher of the Piano-forte and singing, at JOHN SON and CO., 233, Pitt-street.

M. P. PETERSON, Collector (late collector for T. S. Most and Co.), 62, Dowling-street.

M. BENNETT, Dentist, 11, Hunter-street (late pupil of Felix Weiss, Esq., M.C.D.E., Birmingham, London).

M. E. EMANUEL, Dentist, continues to supply all dental work, from one to complete sets, with the best material and workmanship and at all times improvements. A single tooth, from 10s.; teeth stopped, 5s.; extracted, 2s. 6d. Note the address, 233, George-street, near Hunter-street, over Jones and Walker, Jewellers.

PIANOFORTE LESSONS for beginners, at 1, each Apply at L. HINZ, 168, Castlereagh-street.

R. F. FOCKLEY, Marine Surveyor, Office—Lamb's Wharf.

RICHARDSON and WRENCH, Auctioneers and Estate Agents, 142, Pitt-street, next the Metropolitan Hotel.

PRODUCE STORES—Circular Quay. All kinds of produce for sale or shipment, and on deposit of DEEDS of property for sale.

THE REV. S. PHILLIPS begs to inform his friends that he has REMOVED to No. 140, Palmer-street, Woolloomooloo.

MONEY TO LEND ON MORTGAGES of City and Suburban Property, at 5 per cent. on deposit, and 6 per cent. on mortgage, at 8 per cent. small sums 10 per cent. Conveyances prepared from 3s. 6d.; mortgages from 2s. 6d. to 10s. 6d. The address is, Mr. S. Phillips, 140, Palmer-street, Woolloomooloo.

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SUPPLIES FOR NEW CALEDONIA.—TENDERS will be received, on or before the 10th of December next, by the collector of the colony (Messrs. GIBERT PIERRE, Commissaire de la Marine) to supply the following articles:—
Flour, 150 tons.
Rice, 40 ditto.
Dry vegetables, 30 ditto.
Terms may be ascertained by applying at the French Consulate Office, daily, between noon and 3 o'clock.

PUBLIC NOTICE.—To the Storekeepers of Windsor, Richmond, Penrith, &c.
Parties wishing to tender for the remaining assets in the estate of the late J. H. Grimald, of Richmond, are requested to do so, and send in their tenders (addressed to the Executors in the estate) on or before the 12th instant. Separate tenders for Stock, Book Debts, Furniture, and Yard Plant.

Ditto ditto for Equity of Redemption in Freehold, or for the whole or portion of the above, will be received until the 12th instant.

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as just as much as the paying of a license for a public-house is not a fine, but a condition of carrying on a trade. It is not even in the nature of a penalty, although, being imposed upon one class and not upon another, it may be oppressive. If the late ruling in the Supreme Court, in the case of *RUMSEY V. WEEKES*, be true, namely that the *rent* itself is not really a rent but a tax, and that the Legislature has a power to impose class taxation and to attach it to persons holding a particular kind of property,—then it follows that the apportionment of a tax upon the Chinese immigration is not within the functions of the Legislative Council. No one disputes that the consent of all parts of the Legislature are necessary to give effect to the money bill, but it is equally true that the power of the Upper House is limited to a simple assent or negative—an adoption of the bill entirely of its entire rejection, and this applies to any measure which can be construed into taxation. How far the limitation may be extended may be inferred from the protest of the House of Lords against the *taxing* of bills of supply any clauses which are foreign from their nature, because, however foreign, the Lords had not the power according to the interpretation of their authority to expunge it from the bill. The protest is as follows:—

On the 9th December 1792, it was ordered and declared by the Lords, "That the annexing any clause or clauses to a bill of aid or supply, the matter of which is foreign to, and different from, the matter of the said bill of aid or supply, is unconstitutional, and tends to the destruction of the constitution of this Government.

There can be no question that such a system would destroy the Constitutional action of the Upper Chamber, but it by no means provides against the case under consideration, because no one denies that the clauses are part of the Land Bill, and that they are not tacked on to the mere purpose of being carried surreptitiously through the Assembly. If the ruling of the President be true, the functions of the Upper House are indeed curtailed, and the only motive for reading serious the clauses of a bill must be, not to make improvements in their structure, but to see whether, as contributing to form the entire bill, and to preserve the character of a complete measure, they deserve absolute acceptance or total rejection.

[By ELBETH TELEGRAPH.]
MELBOURNE.
Wednesday, 8 p.m.
THE BENARES passed through the Heads at 7-30 this morning.
Markets unchanged.
The Port Phillip Farmers' Society show is a great success. The exhibition of colonial stock and machinery display a marked advance.
The Governor was enthusiastically received at Castlemaine and Sandridge.

QUEENSCLIFF.
Wednesday, 8 p.m.
Sailed.
A. S. m., Benares, P. and O. S., for Sydney.
Isamy, for Mauritius.
Oscar, William Buchanan, City of Hobart, and Rangitara, for Otago.

ADELAIDE.
Wednesday, 7 p.m.
The Balclutha, from King George's Sound, arrived last night at 10 p.m. She left at 5 a.m. on the 4th, and passed the Adelaide at 11 a.m. on the 6th, route to Round, with loss of bowsprit, &c.
Flour may be quoted at 41s.
Wheat, 4s. 3d. for dry land.

[The following was sent from the Melbourne Telegraph Office for public information:—"Stage Station now open for public (Pleasant Creek). Charge same as to Ararat."]

"HONOUR TO WHOM HONOUR IS DUE."
To the Editor of the Herald.
Sir,—In your issue of the 4th instant you publish a extract from the *Adelaide Mercury*, headed "Recognition of Mr. G. Wyndham, the Champion Shot," and I welcome by the company of the West Maitland Volunteers Rifles to the successful competitors of that company in the silver cup match, and make our emergency suit at the Rifle Association Prize Meeting.
I was pleased to note the kind recognition, but certainly not the *Adelaide Mercury*, headed "Recognition of Mr. G. Wyndham, the Champion Shot," and I welcome by the company of the West Maitland Volunteers Rifles to the successful competitors of that company in the silver cup match, and make our emergency suit at the Rifle Association Prize Meeting.
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Household furniture, pianoforte, &c.

